

## Regulatory Analysis

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a Regulatory Flexibility Analysis assessing the impact of any proposed or final rule on small entities. 5 U.S.C. 603 and 604. Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

This rulemaking applies only to two large sources of air emissions used to generate electrical power on Guam. These sources of electrical power will be constructed by an independent power producer which is not a small entity. Therefore, this rulemaking will not impact small entities.

This action has been classified as a Table 3 action for signature by the Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225). The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

### List of Subjects in 40 CFR Part 69

Environmental protection, Air pollution control, Guam.

Dated: August 15, 1997.

**Carol Browner,**  
Administrator.

Part 69 of chapter I, title 40 of the Code of Federal Regulations is amended as follows:

### PART 69—[AMENDED]

1. The authority citation for part 69 continues to read as follows:

**Authority:** Sec. 325, Clean Air Act, as amended (42 U.S.C. 7625-1).

2. Section 69.11 is amended by adding paragraph (d) to read as follows:

#### § 69.11 New exemptions.

\* \* \* \* \*

(d)(1) Pursuant to Section 325(a) of the CAA and a petition submitted by the Governor of Guam on February 11, 1997 ("1997 Petition"), the Administrator of EPA conditionally exempts Piti Power Plant Units No. 8 and No. 9 from certain CAA requirements.

(2) A waiver of the requirement to obtain a PSD permit prior to construction is granted for the electric generating units identified in the 1997 Petition as Piti Units No. 8 and No. 9 (two 45 megawatt baseload diesel electric generators and associated waste heat recovery boilers with a steam

generator), with the following conditions:

(i) Piti Units No. 8 and No. 9 shall not operate until final PSD permits are received for these units;

(ii) Piti Units No. 8 and No. 9 shall not operate until they comply with all requirements of their PSD permits, including, if necessary, retrofitting with BACT;

(iii) If either Piti Units No. 8 or No. 9 operate either prior to the issuance of a final PSD permit or without BACT equipment, the Piti Unit(s) shall be deemed in violation of this waiver and the CAA beginning on the date of commencement of construction of the unit(s).

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 73

[MM Docket No. 97-10; RM-8984 and 9033]

#### Radio Broadcasting Services; Dodgeville, Mazomanie and Mount Horeb, WI

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** Action in this document allots Channel 294A to Mount Horeb, Wisconsin, as that community's first local service in response to a petition filed by First Congregational Services. See 62 FR 3653, January 24, 1997. There is a site restriction 9.6 kilometers (6 miles) west of the community. The coordinates for Channel 294A are 42-59-22 and 89-51-12. The counterproposal filed by Shopper Stopper, Ltd. requesting the allotment of Channel 257A at Mazomanie, Wisconsin, and substitution of Channel 294A for Channel 257A at Dodgeville, Wisconsin, is denied. With this action, this proceeding is terminated.

**DATES:** Effective September 29, 1997.

The window period for filing applications for Channel 294A at Mount Horeb, Wisconsin, will open on September 29, 1997 and close on October 30, 1997.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Report and Order, MM Docket No. 97-10, adopted August 6, 1997, and released August 15, 1997. The full text of this Commission decision is available for

inspection and copying during normal business hours in the Commission's Reference Center (Room 239), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Services, Inc., 1231 20th Street NW., Washington, DC 20036, (202) 857-3800, facsimile (202) 857-3805.

### List of Subjects in 47 CFR Part 73

Radio broadcasting.

Part 73 of title 47 of the Code of Federal Regulations is amended as follows:

### PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

**Authority:** Secs. 303, 48 Stat., as amended, 1082; 47 U.S.C. 154, as amended.

#### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Wisconsin, is amended by adding Mount Horeb, Channel 294A.

Federal Communications Commission.

**John A. Karousos,**

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 97-22114 Filed 8-20-97; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

#### 49 CFR Part 541

[Docket No. 96-122; Notice 02]

RIN 2127-AG33

#### Final Theft Data; Motor Vehicle Theft Prevention Standard

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Publication of final theft data.

**SUMMARY:** This document publishes the final data on thefts of model year (MY) 1995 passenger motor vehicles that occurred in calendar year (CY) 1995. The final 1995 theft data indicate a decrease in the vehicle theft rate when compared to the theft rate experienced in CY/MY 1994. The final theft rate for MY 1995 passenger vehicles stolen in calendar year 1995 (3.57 thefts per thousand vehicles produced) decreased by 14.4 percent from the theft rate for CY/MY 1994 vehicles (4.17 thefts per